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<b>O I INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <small>FEB 15 2001 (use as many sheets as necessary)</small> <small>PATENT &amp; TRADEMARK OFFICE</small>		Application Number	09/544,045
		Filing Date	April 6, 2000
		First Named Inventor	Brian Lee Sauer
		Group Art Unit	1643
		Examiner Name	
Sheet	1	of	17
Attorney Docket Number			
OMRF 178			

## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	US Patent Document	Name of Patentee or Applicant of Cited Document	Date of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code (if known)		
	4,959,317	Sauer		09-25-1990	
	5,300,431	Pierce et al.		04-05-1994	
	5,334,515	Rashidian et al.		08-02-1994	
	5,354,668	Auerbach		10-11-1994	
	5,378,618	Sternberg et al.		01-03-1995	
	5,434,066	Bebbe et al.		07-18-1995	
	5,441,884	Baum		08-15-1995	
	5,478,731	Short		12-26-1995	
	5,510,099	Short et al.		04-23-1996	
	5,527,695	Hodges et al.		06-18-1996	
	5,530,191	Malina		06-25-1996	
	5,539,094	Reed et al.		07-23-1996	
	5,589,362	Bujard et al.		12-31-1996	
	5,591,609	Auerbach		01-07-1997	
	5,596,089	Silversides et al.		01-21-1997	
	5,612,205	Kay et al.		03-18-1997	
	5,614,389	Auerbach		03-25-1997	
	5,629,159	Anderson		05-13-1997	
	5,629,179	Mierendorf et al.		05-13-1997	
	5,635,381	Hooykaas et al.		06-03-1997	
	5,639,726	Lawrence et al.		06-17-1997	
	5,641,748	Hsu		06-24-1997	
	5,641,866	Reed et al.		06-24-1997	
	5,643,727	Reed et al.		07-01-1997	
	5,650,298	Bujard et al.		07-22-1997	
	5,650,308	Baum		07-22-1997	
	5,650,491	Reed et al.		07-22-1997	

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Sheet

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		5,654,168	Bujard et al.	08-05-1997	
		5,654,182	Wahl et al.	08-05-1997	
		5,656,438	Hsu	08-12-1997	
		5,656,772	Odell et al.	08-19-1997	
		5,677,177	Wahl et al.	10-14-1997	
		5,679,523	Li et al.	10-21-1997	
		5,686,595	Reed et al.	11-11-1997	
		5,700,470	Seite et al.	12-23-1997	
		5,721,118	Scheffler	02-24-1998	
		5,721,367	Kay et al.	02-24-1998	
		5,723,287	Russell et al.	03-03-1998	
		5,723,333	Levine et al.	03-03-1998	
		5,723,765	Oliver et al.	03-03-1998	
		5,731,182	Boyce	03-24-1998	
		5,733,733	Auerbach	03-31-1998	
		5,733,743	Johnson et al.	03-31-1998	
		5,733,744	Hamilton	03-31-1998	
		5,736,377	Band	04-07-1998	
		5,744,336	Hodges et al.	04-28-1998	
		5,744,343	Draetta et al.	04-28-1998	
		5,756,671	Gyuris et al.	05-26-1998	
		5,763,240	Zerling et al.	06-09-1998	
		5,767,376	Stiles et al.	06-16-1998	
		5,770,384	Androphy et al.	06-23-1998	
		5,773,697	Tomes et al.	05-30-1998	
		5,776,449	Baum	07-07-1998	

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STATEMENT BY APPLICANT**

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Sheet

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17

Application Number 09/544,045

Filing Date April 6, 2000  
First Named Inventor Brian Lee Sauer  
Group Art Unit 1643  
Examiner Name  
Attorney Docket Number OMRF 178

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		Number	Kind Code* (if known)		
		5,777,194	Scott et al.	07-07-1998	
		5,789,156	Bujard et al.	08-04-1998	
		5,792,632	Dujon et al.	08-11-1998	
		5,792,833	Androphy et al.	08-11-1998	
		5,795,726	Glucksmann	08-18-1998	
		5,795,734	Flanagan et al.	08-18-1998	
		5,800,998	Glucksmann	09-01-1998	
		5,801,030	McVey et al.	09-01-1998	
		5,807,708	Felt et al.	09-15-1998	
		5,807,995	Cohen et al.	09-15-1998	
		5,814,300	Scott et al.	09-29-1998	
		5,814,500	Dietz	09-29-1998	
		5,814,618	Bujard et al.	09-29-1998	
		5,817,492	Saito et al.	10-06-1998	
		5,830,461	Bililar et al.	11-03-1998	
		5,830,698	Reff et al.	11-03-1998	
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		5,834,202	Auerbach	11-10-1998	
		5,837,242	Holliger et al.	11-17-1998	
		5,837,844	Hsu	11-17-1998	
		5,840,540	St. George-Hyslop et al.435/69.1	11-24-1998	
		5,843,694	Band	12-1-1998	
		5,843,742	Natsoulis et al.	12-01-1998	
		5,843,744	Baum	12-01-1998	
		5,844,079	Ingham et al.	12-01-1998	
		5,849,553	Anderson et al.	12-15-1998	

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PTO-908A (10-98)

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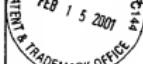
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Application Number	09/544,045
Filing Date	April 6, 2000
First Named Inventor	Brian Lee Sauer
Group Art Unit	1643
Examiner Name	
Attorney Docket Number	OMRF 178

**U.S. PATENT DOCUMENTS**

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		Number	Kind Code <sup>1</sup> (if known)		
	5,849,571	Glorioso et al.		12-15-1998	
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	5,849,708	Maratos-Flier		12-15-1998	
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	5,851,808	Elledge et al.		12-22-1998	
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	5,858,657	Winter et al.		01-12-1999	
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	5,866,755	Bujard et al.		02-02-1999	
	5,871,907	Winter et al.		02-16-1999	
	5,877,400	Tomes et al.		03-02-1999	
	5,882,888	Jorgensen		03-16-1999	
	5,882,893	Goodearl		03-16-1999	
	5,885,776	Stone et al.		03-23-1999	
	5,885,779	Sadowski et al.		03-23-1999	
	5,885,793	Griffiths et al.		03-23-1999	
	5,885,836	Wahl et al.		03-23-1999	
	5,888,732	Hartley et al.		03-30-1999	
	5,888,981	Bujard et al.		03-30-1999	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T*
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<b>O / P INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <small>use as many sheets as necessary)</small>		Application Number	09/544,049
		Filing Date	April 6, 2000
		First Named Inventor	Brian Lee Sauer
		Group Art Unit	1643
		Examiner Name	
		Attorney Docket Number	OMRE 178
Sheet	5	of	17

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		Office <sup>2</sup>	Number <sup>3</sup>	Kind Code <sup>4</sup> (if known)			
	EP 0 344 029	A1	Plant Genetic Systems, N.V.	11-29-1989			
	EP 0 332 104	A2	CIBA-GEIGY AG	09-13-1989			
	EP 0 337 532	A1	Mogen International	10-18-1989			
	WO 80/11361	A1	E. I. Du Pont de Nemours and Company	10-04-1990			

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FEB 15 2007 U.S. PATENT & TRADEMARK OFFICE			
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		Application Number	09/544,045
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		Group Art Unit	1643
		Examiner Name	
		Attorney Docket Number	OMRF 178

OTHER ART -- NON PATENT LITERATURE DOCUMENTS

Examiner's Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
		ABREMSKI, et al., "Studies on the properties of P1 site-specific recombination: evidence for topologically unlinked products following recombination," <i>Cell</i> 32(4):1301-11 (1983).	
		ALVARADO-URBINA, et al., "Automated synthesis of gene fragments," <i>Science</i> 214(451B):270-4 (1981).	
		AMMERER, "Expression of genes in yeast using the ADCl promoter," <i>Methods Enzymol.</i> 101:192-201 (1983).	
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		AOKI, et al., "Efficient generation of recombinant adenoviral vectors by Cre-lox recombination <i>in vitro</i> ," <i>Mol. Med.</i> 5(4):224-31 (1999).	
		BARKER, et al., "Cellular localization of soybean storage protein mRNA in transformed tobacco seeds," <i>Proc. Natl. Acad. Sci.</i> 85:458-462 (1988).	
		BARNES & RINE, "Regulated expression of endonuclease EcoRI in <i>Saccharomyces cerevisiae</i> : nuclear entry and biological consequences," <i>Proc. Natl. Acad. Sci. U. S. A.</i> 82(5):1354-8 (1985).	
		BEACHY, et al., "Accumulation and assembly of soybean -conglycinin in seeds of transformed petunia plants," <i>EMBO J.</i> 4:3047-3053 (1985).	
		BERLIN & SAUER, "In <i>situ</i> color detection of alpha-L-arabinofuranosidase, a "no-background" reporter gene, with 5-bromo-3-indolyl- -L-arabinofuranoside," <i>Anal. Biochem.</i> 243(1):171-6 (1996).	

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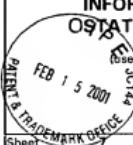
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OTHER ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner's Initials*	Cite No. <sup>2</sup>	Include name of the author (in CAPITAL LETTERS), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>3</sup>
		BLOCHLINGER & DIGGELMANN, "Hygromycin B phosphotransferase as a selectable marker for DNA transfer experiments with higher eucaryotic cells," <i>Mol. Cell. Biol.</i> 4(12):2929-31 (1984).	
		BRINK & COOPER, "The endosperm in seed development," <i>Bot. Rev.</i> 8:423-541 (1947).	
		BROGLIE, et al., "Functional analysis of DNA sequences responsible for ethylene regulation of a bean chitinase gene in transgenic tobacco," <i>Plant Cell.</i> 1(6):599-607 (1989).	
		CHALFIE, et al., "Green fluorescent protein as a marker for gene expression," <i>Science</i> 263(5148):802-5 (1994).	
		CHEN, et al., "A DNA sequence that confers seed-specific enhancement to a constitutive promoter," <i>EMBO J.</i> 7(2):297-302 (1988).	
		CHEN, et al., "Functional analysis of box 1 mutations in yeast site-specific recombinases Flp and R: pairwise complementation with recombinase variants lacking the active-site tyrosine," <i>Molecular and Cellular Biology</i> 12(9):3757-3765 (1992).	
		CHEN, et al., "Functional analysis of regulatory elements in a plant embryo-specific gene," <i>Proc. Natl. Acad. Sci. U. S. A.</i> 83(22):8560-4 (1986).	
		CHEN, et al., "Regulated expression of genes encoding soybean beta-conglycinins in transgenic plants," <i>Dev. Genet.</i> 10(2):112-22 (1989).	
		COLOT, et al., "Localization of sequences in wheat endosperm protein genes which confer tissue-specific expression in tobacco," <i>EMBO J.</i> 6: 3559-3564 (1987).	
		CORMACK, et al., "FACS-optimized mutants of the green fluorescent protein (GFP)," <i>Gene</i> 173(1 Spec No):33-8 (1996).	

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Group Art Unit	1643		
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Attorney Docket Number	OMRF 178		

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		CRAIG, "The mechanism of conservative site-specific recombination," <i>Annu. Rev. Genet.</i> 22:77-105 (1998).	
		DEPICKER, et al., "Nopaline synthase: transcript mapping and DNA sequence," <i>J. Mol. Appl. Genet.</i> 1(6):561-73 (1982).	
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		GAGNETEN, et al., "Brief expression of a GFPcne fusion gene in embryonic stem cells allows rapid retrieval of site-specific genomic deletions," <i>Nucleic Acids Research</i> 25(16):3326-3331 (1997).	
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		GORMAN, et al., "High efficiency DNA-mediated transformation of primate cells," <i>Science</i> 221(4610):551-3 (1983).	
		GORMAN, et al., "The Rous sarcoma virus long terminal repeat is a strong promoter when introduced into a variety of eukaryotic cells by DNA-mediated transfection," <i>Proc. Natl. Acad. Sci. U. S. A.</i> 79(22):6777-81 (1982).	
		GUO, et al., "Structure of Cre recombinase complexed with DNA in a site-specific recombination synapse," <i>Nature</i> 389(6646):40-6 (1997).	

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			Application Number	09/544,045
			Filing Date	April 6, 2000
			First Named Inventor	Brian Lee Sauer
			Group Art Unit	1643
			Examiner Name	
			Attorney Docket Number	OMRF 178
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		GURLEY, et al., "Upstream sequences required for efficient expression of a soybean heat shock gene," <i>Mol. Cell. Biol.</i> 6(2):559-65 (1986).		
		GUZMAN, et al., "Tight regulation, modulation, and high-level expression by vectors containing the arabinose PBAD promoter," <i>J. Bacteriol.</i> 177(14):4121-30 (1995).		
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		HOESS, et al., "Isolation and characterization of intermediates in site-specific recombination," <i>Proc. Natl. Acad. Sci. U. S. A.</i> 84(19):6840-4 (1987).		
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Sheet 10 of 17

Application Number	09/544,045
Filing Date	April 6, 2000
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	HOESS, et al., "The role of the <i>loxP</i> spacer region in P1 site-specific recombination," <i>Nucleic Acids Res.</i> 14(5):2287-300 (1986).		
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	*KILBY, et al., "Site-specific recombinases: tools for genome engineering," <i>Trends Genet.</i> 9(12):413-21 (1993).		

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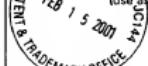
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Sheet 11 of 17

Application Number	09/544,045
Filing Date	April 6, 2000
First Named Inventor	Brian Lee Sauer
Group Art Unit	1643
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		09/544,045	
		Filing Date	April 6, 2000
		First Named Inventor	Brian Lee Sauer
		Group Art Unit	1643
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		Attorney Docket Number	OMRF 178
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Sheet 13 of 17

Application Number	09/544,045
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		PAN, et al., "Mechanism of cleavage and ligation by FLP recombinase: classification of mutations in FLP protein by in vitro complementation analysis." <i>Molecular and Cellular Biology</i> 13(6):3167-3175 (1993).	
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		SANFORD, "The biolistic process." <i>Tibtech</i> 6:299-302 (1988).	

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		SAUER, et al., "Construction of isogenic cell lines expressing human and rat angiotensin II AT1 receptors by Cre-mediated site-specific recombination," <i>Methods</i> 4:143-149 (1992).	

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STATEMENT BY APPLICANT

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Sheet

16

of

17

Application Number	09/544,045
Filing Date	April 6, 2000
First Named Inventor	Brian Lee Sauer
Group Art Unit	1643
Examiner Name	
Attorney Docket Number	OMRF 178

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		Filing Date	April 6, 2000		
		First Named Inventor	Brian Lee Sauer		
		Group Art Unit	1643		
		Examiner Name			
Sheet	17	of	17	Attorney Docket Number	OMRF 178

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**Remarks**

This statement should not be interpreted as a representation that an exhaustive search has been conducted or that no better art exists. Moreover, Applicants invite the Examiner to make an independent evaluation of the cited art to determine its relevance to the subject matter of the present application. Applicants are of the opinion that their claims patentably distinguish over the art referred to herein, either alone or in combination.

Respectfully submitted,



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Kimberly L. Adams

Date: February 12, 2001